

Lois H. Chang, State Bar No. 278146
NEYHART, ANDERSON, FLYNN & GROSBOLL, APC
369 Pine Street, Suite 800
San Francisco, CA 94104
Tel. (415) 677-9440
Fax (415) 677-9445
Email: Lchang@neyhartlaw.com

Attorney for Plaintiffs

Robert Kinney, State Bar No. 223855
SUN SYSTEM TECHNOLOGY
2731 Citrus Rd., Suite D
Rancho Cordova, CA 95742
Tel. (916) 224-3011
Email: Rkinney@sunsystemtechnology.com

Attorney for Defendant

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(Oakland Division)**

SOLANO-NAPA COUNTIES ELECTRICAL
WORKERS' HEALTH & WELFARE TRUST FUND;
LOCAL 180 OF THE INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS,
AFL-CIO; SOLANO-NAPA COUNTIES JOINT
ELECTRICAL EDUCATION AND TRAINING
TRUST; SOLANO-NAPA COUNTIES LABOR
MANAGEMENT COOPERATION TRUST;
NECA-IBEW NATIONAL LABOR-MANAGEMENT
COOPERATION FUND; SOLANO-NAPA
COUNTIES ELECTRICAL WORKERS PENSION
TRUST FUND; SOLANO-NAPA COUNTIES
ELECTRICAL WORKERS' PROFIT SHARING
PLAN; CONTRACT ADMINISTRATION FUND;
ELECTRICAL CONTRACTORS TRUST OF
SOLANO-NAPA COUNTIES; SOLANO-NAPA
COUNTIES JOINT APPRENTICESHIP AND
TRAINING TRUST; and KEVIN COLEMAN and
GREG ARMSTRONG, Trustees of each of the
Plaintiff Trusts,

Plaintiffs,

v.

SST CONSTRUCTION, LLC dba SUNSYSTEM
TECHNOLOGY;

Defendant.

Case No. 18-cv-1013 KAW

**STIPULATION FOR
CONTINGENT ORDER OF
DISMISSAL & [Proposed]
CONTINGENT ORDER OF
DISMISSAL**

Courtroom: 4, 3rd Floor
Location: 1301 Clay Street
Oakland, CA 94612
Judge: Hon. Kandis A. Westmore

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. In this ERISA action, the parties have reached agreement to settle this case under the terms and conditions specified in a Settlement Agreement.

3. If the Settlement Agreement is otherwise breached, the parties agree that Plaintiffs may reopen the matter at any time, if Plaintiffs certify to the Court that the consideration has not been paid or other terms and conditions of the Settlement Agreement have not been complied with.

Respectfully Submitted,

NEYHART, ANDERSON, FLYNN & GROSBOLL

Dated: March 16, 2018

COUNSEL FOR SUN SYSTEM TECHNOLOGY

By: /s/Robert Kinney
ROBERT KINNEY
Attorneys for Defendant


1
2
3 **~~Proposed~~ CONTINGENT ORDER OF DISMISSAL**
4

5 **~~PROPOSED~~ ORDER:**

6 The parties hereto have agreed to a settlement of this action. IT IS HEREBY ORDERED
7 that this action is dismissed without prejudice, provided, however, that if any party hereto shall
8 certify to this Court, with proof of service of copy thereon on the Defendant or its counsel that the
9 terms and conditions of the agreement have not been complied with, the foregoing Order shall
10 vacated by this Court and this action shall forthwith be restored to the calendar.
11

12 IT IS SO ORDERED.

13 Dated: 3/22/18

14 
15 U.S. MAGISTRATE JUDGE
16 HON. KANDIS A. WESTMORE
17
18
19
20
21
22
23
24
25
26
27
28